GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Dept - Vigilance Report - Allegations on construction of apartment in deviation from approved plan in Gudiwada Municipality against Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired) - Departmental proceedings initiated under Rule-20 of APCS (CC&A) Rules, 1991 - Inquiry conducted – Imposition of penalty of " 3% cut in pension for a period of five (5) years" under Rule-9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.) DEPARTMENT

G.O.Rt.No.607 **Dated:07.08.2024.**

Read the following:-

1. From G.A. (V&E) Dept., Vigilance Report No.7 (C.No.1195/V&E/ DEV-II) D1/2000) dated 21.01.2014.
2. G.O.Rt.No. 866, MAUD (Vig.III) Department, dated.05.11.2014.
3. WSD of Sri M.Sheshagiri Rao, the then TPS, Gudivada Municipality (now retired), dated.Nil
4. G.O.Rt.No.396, M.A. & U.D. (Vig.I) Department, dt:02.06.2017 read with G.O.Rt.No.20, MAUD (Vig.II) Dept., dated.06.01.2020.
5. Inquiry Report of Sri D.Chandra Sekhar, Municipal Commissioner & Inquiry Officer, Eluru, Lr.Rc.No.1/Commr/Eluru/2020, dt:19.10.2020.
6. Govt.Memo.No.3741/Vig.II/2014, dated.27.08.2021.
7. Written representation of Sri M.Sheshagiri Rao, the then TPS (now retd.), dated:18.10.2021 received through the DTCP, AP, Lr. Roc No.1371/2014/V.Cell, dt:22.11.2021.
8. Show-cause Notice issued vide Govt.Memo.No.3741/Vig.II/2014, dated.26.08.2022.
9. Written explanation of Sri M.Sheshagiri Rao, the then TPS (now retd.), dated.11.05.2023, received through DTPC, A.P., vide Lr.Roc.No.1371/2014/V.Cell, Dt. 24/05/2023.
10. G.O.Ms.No.124, GA(SER.A) Dept., dated.04.12.2023.

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O R D E R:

Whereas, based on the report of G.A. (V&E) Department in the reference 1st cited, Government initiated disciplinary proceedings against Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired), on the allegations of failure in preventing of deviations in construction of Apartment Buildings from approved plans in Gudivada Municipality, vide reference 2nd read above. In reply, the charged officer submitted his written statement of defense, vide reference 3rd read above.

2. Having not convinced with the written statement of defense of charged officer, in the reference 4th read above, after following the due procedure, Government appointed an Inquiry Officer to inquire into the charges framed against the charged officers Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired) and others of Gudivada Municipality.

3. The Inquiry Officer conducted Inquiry and submitted his Inquiry Report vide reference 5th read above, and stated that out of (4) Charges framed against Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired)., (3) Charges are held proved and (1) charge is not proved.

(P.T.O)

4. Government have examined the Inquiry Report in detail and in the reference 6th read above and a copy of Inquiry Report have been communicated to all the charged officers under Rule 21(2) of APCS (CC&A) Rules, 1991, with a direction to submit their written representations, if any, on the findings of the Inquiry Officer.

5. In the reference 7th read above, the delinquent officer has submitted his written representation, denying the findings of the Inquiry officer and requested to drop further action against him.

6. Government have examined the matter; keeping in view the findings of Inquiry Authority and provisionally decided to impose a penalty of " 3% cut in pension for a period of five (5) years" against Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired); since, he had not taken serious steps for removal of deviated portion in his tenure and not processed the file for further action, as per APM Act, 1965.

7. In the reference 8th read above, a show cause notice has been issued to Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired); as to why the above said penalty at para -6, cannot be imposed against him under Rule 9 of A.P. Revised Pension Rules, 1980. The charged officer has submitted his explanation vide reference 9th read above, which is nothing but the reiteration of his written representation on the findings of the Inquiry Authority. No new points were raised by the delinquent officer for consideration.

8. Government have examined the entire matter; keeping in view the gravity of charges, findings of Inquiry Authority and roles and responsibilities and written explanation of the delinquent officer and decided to confirm the provisional decision of the Government to impose the penalty of "3% cut in pension for a period of five (5) years" against Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired), since, he had not taken serious steps for removal of the deviated portions in his tenure and not processed the file for further action, as per APM Act, 1965.

9. Accordingly, Government hereby impose a penalty of " 3% cut in pension for a period of five (5) years" against Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c), Gudivada Municipality (now retired), under Rule-9 of A.P. Revised Pension Rules, 1980.

10. The Director of Town and Country Planning, A.P, Mangalagiri, shall take necessary action in the matter accordingly.

11. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL KUMAR SINGHAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.Sheshagiri Rao, the then TPS & TPBO (I/c) (now Retired),
Gudivada Municipality - **through** the DTCP., A.P., Mangalagiri.
The Director of Town & Country Planning, A.P., Mangalagiri

Copy to:

The Secretary to A.P. Vigilance Commission, 5th Building, A.P. Secretariat.
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The PS to Minister, MA&UD Dept.
The PS to Special CS., MA&UD Department.
SF / SCs.

//FORWARDED BY ORDER//

G. Srini
SECTION OFFICER.